



Plenary sitting

B8-0251/2017

4.4.2017

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Russia, the arrest of Alexei Navalny and other protestors
(2017/2646(RSP))

Cristian Dan Preda, Tunne Kelam, Deirdre Clune, Pavel Svoboda, Mairead McGuinness, Laima Liucija Andrikiienė, Brian Hayes, Jaromír Štětina, Stanislav Polčák, Ivan Štefanec, Therese Comodini Cachia, Jarosław Wałęsa, Tomáš Zdechovský, Sven Schulze, József Nagy, Dubravka Šuica, Ivana Maletić, Eduard Kukan, Claude Rolin, Romana Tomc, Giovanni La Via, Patricija Šulin, Csaba Sógor, Marijana Petir, Luděk Niedermayer, David McAllister, Željana Zovko, Bogdan Andrzej Zdrojewski, Adam Szejnfeld, Sandra Kalniete, Bogdan Brunon Wenta, Michaela Šojdrová, Milan Zver, Ramón Luis Valcárcel Siso, Anna Maria Corazza Bildt, José Ignacio Salafranca Sánchez-Neyra, Jiří Pospíšil, Andrey Kovatchev
on behalf of the PPE Group

**European Parliament resolution on Russia, the arrest of Alexei Navalny and other protesters
(2017/2646(RSP))**

The European Parliament,

- having regard to its previous reports and resolutions on Russia, in particular its resolutions of 13 June 2013 on the rule of law in Russia, of 13 March 2014 on Russia: sentencing of demonstrators involved in the Bolotnaya Square events, of 23 October 2014 on the closing-down of the NGO ‘Memorial’ (winner of the 2009 Sakharov Prize) in Russia, of 15 January 2015 on Russia, in particular in the case of Alexey Navalny (2015/2503(RSP)) and of 24 November 2016 on case of Ildar Dadin, prisoner of conscience in Russia,
 - having regard to article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights, both of which provide that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment and to which Russian Federation is a party,
 - having regard to the United Nations Declaration on Human Rights Defenders, adopted by the UN General Assembly on 9 December 1998,
 - having regard to its resolution of 16 of March 2017 on Ukrainian political prisoners in Russia and situation in Crimea,
 - having regard to the seventh periodic report of the Russian Federation considered by the United Nations Human Rights Committee at its 3136th and 3137th meetings, held on 16 and 17 March 2015,
 - having regard to Rules 135 of its Rules of Procedure,
- A. whereas the Russian Federation, as a full member of the Council of Europe, a signatory to the UN Universal Declaration of Human Rights and the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment has committed itself to the principles of democracy, the rule of law and respect or fundamental freedoms and human rights;
- B. whereas the Russian Federation has ratified 11 out of the 18 international human rights treaties;
- C. whereas the criminal law of the Russian Federation has been amended and the new article 212.1 has been introduced, according to which a person can be charged in case of violation of the law on public assemblies, notwithstanding the fact that this amendment restricts the freedom of speech and assembly;
- D. whereas Russian authorities show a tendency towards disrespecting the right of free gathering and detained alone more than 1000 demonstrating citizens in the City of Moscow and numerous more in several further cities of the Russian Federation after peaceful demonstrations held on March 26, 2017, as well as on the 2nd of April 2017;
- E. whereas the number of political prisoners in the country had significantly increased in the recent years, counting 102 persons in 2016 according to Memorial Human Rights Centre;
- F. whereas the protests are reckoned to be biggest since the anti-Kremlin demonstrations in 2011 and 2012;

1. Calls for immediate release of Alexei Navalny and all the detained peaceful demonstrators arrested in the anti-corruption rallies held in Moscow and number of Russian cities on Sunday March 26, 2017, as well as on the 2nd of April 2017;
2. Expresses strong concern that the detaining of Alexei Navalny demonstrates a case when the Russian authorities are using the law on public assemblies to fast-track peaceful protesters to prison and commit subsequent systemic abuse;
3. Recalls that the freedom of peaceful assembly is a right, not a privilege and that this right, jointly with the rights to freedom of opinion and expression and freedom of association, plays a decisive role in the emergence and existence of effective democratic system;
4. Urges the Government of the Russian Federation to fulfil its positive obligation under international human rights law to protect and facilitate the exercise of the rights to freedom and peaceful assembly, freedom of opinion and expression, and freedom of association, and not to interfere with the exercise of these rights;
5. Takes the view that several trials and judicial proceedings against opposition members and NGOs over the past years raise doubt on the independence and impartiality of the judicial institutions of the Russian Federation;
6. Stresses that the charges against Alexei Navalny appear to be politically-motivated in retribution for his political activity in opposition to Vladimir Putin only a year before the presidential elections which the current president is expected to contest, running for a fourth term;
7. Calls on the Russian authorities to stop all pressure and intimidation both political and judicial on opposition leaders, civil society representatives, peaceful demonstrators and independent media allowing them to act freely in line with the basic principles of the Russian constitution;
8. Stresses that freedom of assembly in the Russian Federation is granted under Article 31 of the Russian Constitution and under the European Convention on Human Rights, to which Russia is a party, thereby obliging the Russian authorities to comply with it; calls on the Russian Federation to respect the principles of the rule of law, freedom of speech and freedom of assembly;
9. Recalls the importance of Russia's full compliance with its international legal obligations, as a member of the Council of Europe and the Organisation for Security and Cooperation in Europe, and with the fundamental human rights and the rule of law enshrined in the European Convention on Human Rights and the International Covenant on Civil and Political Rights (ICCPR);
10. Urges the Russian judicial and law enforcement authorities to carry out their duties in an impartial and independent manner free of political interference;
11. Calls on the Russian federation to amend the legislation unduly restricting and criminalising the freedom of assembly; reminds and regrets the fact that the Russian Federation has also empowered its Constitutional Court by new legislation of December 2015 to overturn the judgments of the European Court of Human Rights;
12. Urges the Council to develop a unified policy towards Russia that commits the Member States and EU institutions to a strong common message on the role of human rights in the EU-Russia relationship and the need to end the crackdown on freedom of expression, assembly and association in Russia;
13. Calls on the High Representative and the European External Action Service (EEAS) to ensure that the cases of all persons prosecuted for political reasons are raised in EU-Russia human rights consultations when resumed, and that Russia's representatives in

- these consultations are formally requested to respond in each case;
14. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the governments and parliaments of the Member States, the Council of Europe, the Organisation for Security and Cooperation in Europe, and the President, Government and Parliament of the Russian Federation.